

05-10565  
05-10035UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORKVOLUNTARY  
PETITION

NAME OF DEBTOR (If individual, enter Last, First, Middle)

NAME OF JOINT DEBTOR (Spouse) (Last, First, Middle)

Fraterrigo, G. Diane

N/A

ALL OTHER NAMES used by the debtor in the last 6 years  
(Include married, maiden, and trade names)  
MrowinskiALL OTHER NAMES used by the joint debtor in the last 6 years  
(Include married, maiden, and trade names) FKA G. Diane

AKA Geraldine D. Fraterrigo, G.D. Fraterrigo

N/A

SOC. SEC./TAX I.D. NO. (If more than one, state all)

SOC. SEC./TAX I.D. NO. (If more than one, state all)

xxx-xx-0818

N/A

STREET ADDRESS OF DEBTOR (Street, city, state &amp; zip code)

STREET ADDRESS OF JOINT DEBTOR (Street, city, state &amp; zip code)

100 Bird Avenue  
Buffalo, NY 14213

N/A

COUNTY OF RESIDENCE OR  
PRINCIPAL PLACE OF BUSINESSCOUNTY OF RESIDENCE OR  
PRINCIPAL PLACE OF BUSINESS

ERIE

ERIE

MAILING ADDRESS OF DEBTOR (If different from street address)

MAILING ADDRESS OF JOINT DEBTOR (If different from street address)

N/A

N/A

LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR  
(If different from addresses listed above)

N/A

## INFORMATION REGARDING DEBTOR

VENUE (Check any applicable line)

☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

TYPE OF DEBTOR (Check all lines that apply)

☒ Individual(s) ☐ Railroad  
☐ Clearing Bank ☐ Stockbroker  
☐ Partnership ☐ Commodity broker  
☐ Corporation ☐ OtherCHAPTER OR SECTION OF BANKRUPTCY CODE UNDER  
WHICH THE PETITION IS FILED (Check one line)☒ Chapter 7 ☐ Chapter 11 ☐ Chapter 13  
☐ Chapter 9 ☐ Chapter 12 ☐ Sec. 304-Case Ancillary  
to foreign proceeding

NATURE OF DEBT

☒ Consumer/Non-Business ☐ Business

FILING FEE (Check one line)

☒ Filing fee attached  
☐ Filing fee to be paid in installments. (Applicable to individuals only.)  
Must attach signed application for the court's consideration certifying  
that the debtor is unable to pay fee except in installments. Rule 1006(b).  
See Official Form No. 3.

CHAPTER 11 SMALL BUSINESS (Check all lines that apply)

☐ Debtor is a small business as defined in 11 U.S.C. § 101  
☐ Debtor is and elects to be considered a small business under  
11 U.S.C. § 1121(e) (Optional)

STATISTICAL/ADMINISTRATIVE INFORMATION (Estimates Only)

THIS SPACE FOR COURT USE ONLY

☐ Debtor estimates that funds will be available for distribution to unsecured creditors.☒ Debtor estimates that, after any exempt property is excluded and administrative  
expenses paid, there will be no funds available for distribution to unsecured  
creditors.

ESTIMATED NUMBER OF CREDITORS

☒ 1 - 15 ☐ 16 - 49

ESTIMATED ASSETS (In Thousands of Dollars)

☒ \$0.00 - \$50,000 ☐ \$50,001 - \$99,000 ☐ \$100,001 - \$500,000

ESTIMATED LIABILITIES (In thousands of Dollars)

☐ \$0.00 - \$50,000 ☒ \$50,001 - \$99,000 ☐ \$100,001 - \$500,000FILED  
05 JAN 26 PM 2:14  
U.S. BANKRUPTCY COURT  
W.D.N.Y. - BUFFALO

<b>Voluntary Petition</b> (This page must be completed and filed in every case)		Name of Debtor(s):	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)			
Location Where Filed: <u>None</u>	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: <u>n/a</u>	Case Number:	Date Filed:	
District:	Relationship:	Judge:	

## Signatures

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X [Signature]  
Signature of Debtor

X \_\_\_\_\_  
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date 1-26-05

X [Signature]  
Signature of Attorney for Debtor(s)

Printed Name of Attorney for Debtor(s)

Firm Name

Address

Telephone Number

Date

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X \_\_\_\_\_  
Signature of Authorized Individual

Printed Name of Authorized Individual

### Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

☐ Exhibit A is attached and made a part of this petition.

### Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X [Signature] 1/26/05  
Signature of Attorney for Debtor(s) Date

### Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.  
☒ No

### Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

Name of Debtor: Fraterrigo, G. Diane Debtor(s). Case No.: \_\_\_\_\_

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1 - 15 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete questions 16 - 21. If the answer to any question is "None," or the question is not applicable, mark the line labeled "None". If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question

DEFINITIONS

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of this bankruptcy case, and of the following: an officer, director, managing executive, or person in control of the corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any person in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. SS 101(30).

1. *Income from employment or operation of business.* State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (Debtor that maintains, or has maintained financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed).

None AMOUNT SOURCE (if more than one)

2004--Laidlaw Transit \$15,000  
2003--Laidlaw Transit \$15,000; Unemployment \$695; Estranged Husband \$20,000; Unemployment \$5000  
2002--Laidlaw Transit \$6,000; Estranged Husband \$20,000

2. *Income other than from employment or operation of business.* State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None AMOUNT SOURCE  
XXX

3a. *Payment to creditors.* List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600.00 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None	NAME AND ADDRESS OF CREDITOR	DATES OF	AMOUNT	AMOUNT
<u>XXX</u>		PAYMENTS	PAID	STILL OWING

3b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None XXX	NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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4a. *Suits and administrative proceedings, executions, garnishments and attachments.* List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None XXX	CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING AND LOCATION	COURT OR AGENCY	STATUS OR DISPOSITION
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4b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None XXX	NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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5. *Repossessions, foreclosures and returns.* List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None XXX	NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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6a. *Assignments and receiverships.* Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None XXX	NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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6b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None XXX	NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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7. *Gifts.* List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200.00 in value per individual family member and charitable contributions aggregating less than \$100.00 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None XXX	NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
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8. *Losses.* List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None XXX	DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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9. *Payments related to debt counseling or bankruptcy.* List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

None	NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY DESCRIPTION AND VALUE OF PROPERTY
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Brendan C. Hand  
Attorney-at-Law  
424 Main Street, Suite 1816  
Buffalo, New York 14202

2004-2005

\$641.00

10a. *Other transfers.* List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None	NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
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Pursuant to separation agreement, debtor transferred her interest in 48 Treehaven Rd., Gainesville, NY to husband, and husband transferred his interest in 98-100 Bird Avenue to petitioner.

11. *Closed financial accounts.* List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None <u>XXX</u>	NAME AND ADDRESS OF INSTITUTION	TYPE AND NUMBER OF ACCOUNT AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
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12. *Safe deposit boxes.* List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None <u>XXX</u>	NAME AND ADDRESS BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
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13. *Setoffs.* List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None <u>XXX</u>	NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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14. *Property held for another person.* List all property owned by another person that the debtor holds or controls.

None <u>XXX</u>	NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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15. *Prior address of debtor.* If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

None <u>XXX</u>	ADDRESS	NAME USED	DATES OF OCCUPANCY
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16. *Spouses and Former Spouses.* If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the six-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

None NAME  
XXX

17. *Environmental Information.* For the purposes of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

None <u>XXX</u>	SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None <u>XXX</u>	SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

None <u>XXX</u>	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
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The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case.)

18. Nature, location, and name of business

a. If the debtor is an individual, list the names and addresses of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names and addresses of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names and addresses of all business in which the debtor was a partner or owned 5 percent or more of the voting securities, within the six years immediately preceding the commencement of this case.

None <u>XXX</u>	NAME	TAXPAYER I.D. NUMBER	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES OF OPERATION
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18 b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

None <u>XXX</u>	NAME	TAXPAYER I.D. NUMBER	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES OF OPERATON
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19a. *Books, records and financial statements.* List all bookkeepers and accountants who within the six years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

None <u>XXX</u>	NAME AND ADDRESS	DATE SERVICES RENDERED
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19b. List all firms or individuals within the six years immediately preceding the filing of this bankruptcy case that have audited the books of account and records, or prepared a financial statement of the debtor.

None <u>XXX</u>	NAME	ADDRESS	DATES SERVICES RENDERED
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19c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

None <u>XXX</u>	NAME	ADDRESS
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19d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the six years immediately preceding the commencement of this case by the debtor.

None <u>XXX</u>	NAME AND ADDRESS	DATE ISSUED
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20 a. *Inventories.* List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

None <u>XXX</u>	DATE OF INVENTORY	INVENTORY SUPERVISOR	DOLLAR AMOUNT OF INVENTORY	(Specify cost, market or other basis)
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20 b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

None <u>XXX</u>	DATE OF INVENTORY	NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS
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21 a. *Current Partners, Officers, Directors, and Shareholders.* If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

None <u>XXX</u>	NAME AND ADDRESS	NATURE OF INTEREST	PERCENTAGE OF INTEREST
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21 b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

None <u>XXX</u>	NAME AND ADDRESS	TITLE	NATURE OF PERCENTAGE OF STOCK OWNERSHIP
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22 a. *Former Partners, Officers, Directors and Shareholders.* If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

NAME	ADDRESS	DATE OF WITHDRAWAL
one		
XX		

22 b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

NAME AND ADDRESS	TITLE	DATE OF TERMINATION
one		
XX		

23. *Withdrawals from a partnership or distributions by a corporation.* If the debtor is a partnership or corporation, list all withdrawals, distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other payments during the year immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
one		
XX		

24. *Tax Consolidation Group.* If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation or consolidated group for tax purposes of which the debtor has been a member at any time within the six-year period immediately preceding the commencement of this case.

NAME OF PARENT CORPORATION	TAXPAYER IDENTIFICATION NUMBER
one	
XX	

25. *Pension Funds.* If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the six-year period immediately preceding the commencement of this case.

NAME OF PENSION FUND	TAXPAYER IDENTIFICATION NUMBER
one	
XX	

\* \* \* \* \*

### Unsworn Declaration under Penalty of Perjury

*If completed by an individual or individual and spouse)* I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

<u>1/26/05</u>	<u>X [Signature]</u>	_____
Date	Signature of Debtor	Signature of Joint Debtor (if any)

*If completed on behalf of a partnership or corporation)* I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

_____	_____	_____
Date	Signature	Print Name and Title

An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.)

Name of Debtor Fraterrigo, G. Diane Debtor(s).

Case No. \_\_\_\_\_ (If known)

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write None under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C- Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	H	CURRENT MARKET	AMOUNT OF
		W	VALUE OF DEBTOR'S	SECURED CLAIM
		J	INTEREST IN PROPERTY	
		C	WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	
100 Bird Avenue, Buffalo, NY 14323	Fee Simple		\$35,000	33,343 (Mortgage) 193.00 County 982.00 County \$217.00 User Fee
		Total->	\$35,000.00	(Report also on summary of Schedules)

## SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number and the number of the category. If the debtor is married, state whether husband, wife or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as exempt.

Do not list interest in executory contracts and unexpired leases on this schedule. List them in Schedule G- Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

TYPE OF PROPERTY	N	H	CURRENT MARKET
	O	W	VALUE OF DEBTOR'S
	N	J	INTEREST IN PROPERTY
	E	C	WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand.			Cash, \$0.00.
2. Checking , savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and home- stead associations, or credit unions, brokerage houses, or cooperatives.	x		
3. Security deposits with public utilities, telephone companies, land- lords, and others.	x		
4. Household goods and furnishings including audio, video and computer equipment.			Household goods and furnishings, \$2200.00.
5. Books, pictures and other art objects; antiques; stamp, coin, record, tape compact disc, and other collections or collectibles.	x		
6. Wearing apparel.			Personal wearing apparel, \$400.00, located at 100 Bird Aveune, Buffalo, NY 14213
7. Furs and jewelry.	x		
8. Firearms and sports, photographic, and other hobby equipment.	x		
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	x		
10. Annuities, itemize and name each issuer.	x		
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	x		

Name of Debtor Fraterrigo, G. Diane Debtor(s). Case No. \_\_\_\_\_ (If known)

**SCHEDULE B**  
**(Continuation Sheet)**

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
13. Interest in partnerships or joint ventures. Itemize.	x			
14. Government and corporate bonds and other negotiable and no-negotiable instruments.	x			
15. Accounts receivable.	x			
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	x			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	x			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	x			
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	x			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		2004 Tax Refund \$1000.00 (estimated)		
21. Patents, copyrights, and other intellectual property. Give particulars.	x			
22. Licenses, franchises, and other general intangibles. Give particulars.	x			
23. Automobiles, trucks, trailers, and other vehicles and accessories.	x			
24. Boats, motors, and accessories.	x			
25. Aircraft and accessories.	x			
26. Office equipment, furnishings, and supplies.	x			
27. Machinery, fixtures, equipment, and supplies used in business.	x			
28. Inventory.	x			
29. Animals.	x			
30. Crops--growing or harvested. Give particulars.	x			
31. Farming equipment and implements.	x			
32. Farm supplies, chemicals, and feed.	x			
33. Other personal property of any kind not already listed. Itemize.	x			

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules)

Total-> \$3,600.00

0 continuation sheets attached.

Name of Debtor Fraterrigo, G. Diane Debtor(s).

Case No. \_\_\_\_\_ (If known)

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under: (Check one line)

☐ 11 USC § 522(b)(1): Exemptions provided in 11 USC § 522(d). Note: These exemptions are available only in certain states.

☒ 11 USC § 522(b)(2): Exemptions available under applicable non-bankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF CLAIMED EXEMPTION
-------------------------	--------------------------------------	----------------------------	---

All exemptions allowed under federal and New York law, including the following:

Household Goods	CPLR § 5205	\$2200.00	\$2200.00
Wearing Apparel	CPLR § 5205, DCL	\$200.00	\$200.00
Cash and cash equivalents	DCL § 282	\$2,500.00	\$1000.00

Name of Debtor Fraterigo, G. Diane Debtor(s).

Case No. \_\_\_\_\_ (If known)

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and account number, if any, or all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interest such as judgment liens, garnishments, statutory liens, mortgages, deed of trust, and other security interest. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," including the entity of the appropriate schedule of creditors, and complete Schedule H- Codebtors. If a joint petition is filed, state whether Husband, wife, or the marital community may be liable on each claim by placing an "H", W, J or C in the column labeled "Husband . Wife Join to Community."

If the claim is contingent place and "X" in the column labeled Disputed. (You may need to place an "X" in more than one of these three columns.

Report the total of all claims listed on this schedule on the box labeled Tally on the last sheet of the compiled schedule. Report this total also on the Summary of Schedules.

\_\_\_\_\_ Check this line if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO D E B T O R	H U S B A N D W I F E J O I N T O C O M M U N I T Y	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	C O D E B T O R	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
<u>ACCOUNT NO.</u> Beneficial 2850 Niagara Falls Blvd Amherst, NY 14228			Mortgage 100 Bird Avenue, Buffalo, NY VALUE: \$35,000		\$33,343.00	
<u>ACCOUNT NO.</u> City of Buffalo Tax Department 121 City Hall Buffalo, New York 14202			City Taxes		\$982.00	
<u>ACCOUNT NO.</u> Erie County Tax Department 95 Franklin Street Buffalo, New York 14202			County Taxes 100 Bird Avenue		\$193.00	
<u>ACCOUNT NO.</u> Buffalo Street Sanitation Department 218 City Hall Buffalo, NY 14202			User Fee 100 Bird Avenue		\$217.00	
<u>ACCOUNT NO.</u>						
<u>ACCOUNT NO.</u>						

0 continuation sheets attached

Total-> \$34,735.00 (Report total also on  
Summary of Schedules)

Name of Debtor Fraterrigo, G. Diane Debtor(s).

Case No. \_\_\_\_\_ (If known)

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  X   Check this line if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPE OF PRIORITY CLAIMS (Check the appropriate line(s) below if claims in that category are listed on the attached sheets)

\_\_\_\_\_ Extensions of credit in an involuntary case.

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 USC § 507 (a)(2).

\_\_\_\_\_ Wages, salaries, and commissions.

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees, up to a maximum of \$2,000 per employee, earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 USC § 507(a)(3).

\_\_\_\_\_ Contributions to employee benefit plans.

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 USC § 507(a)(4).

\_\_\_\_\_ Certain farmers and fishermen.

Claims of certain farmers and fishermen, up to a maximum of \$2,000 per farmer or fisherman, against the debtor, as provided in 11 USC § 507(a)(5)

\_\_\_\_\_ Deposits by individuals

Claims of individuals up to a maximum of \$900 for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 USC § 507(a)(6)

\_\_\_\_\_ Taxes and Certain Other Debts Owed to Governmental Units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 USC § 507(a)(7).

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO D E B T	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C U D	TOTAL AMOUNT AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY
--	------------------------	------------------	---	-------------	------------------------------------	-----------------------------------

ACCOUNT NO.ACCOUNT NO.ACCOUNT NO.  0   continuation sheets attached

Total-&gt; \$0.00 (Report total also on Summary of Schedules)

If contingent, enter C; If unliquidated, enter U; if disputed, enter D.

Name of Debtor Fraterrigo, G. Diane . Debtor(s).

Case No. \_\_\_\_\_ (If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO D E B T H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C U D *	AMOUNT OF CLAIM
<u>ACCOUNT NO.</u> Citibank Box 6500 Sioux Fall, SD 57117		Credit Card 1997-2003		\$10,980.00
<u>ACCOUNT NO.</u> Direct Merchants Bank Keirland 1 Suite 300 16430 N. Scottsdale Rd Scottsdale, AZ 85254		Credit Card 1997-2003		\$10,011.00
<u>ACCOUNT NO.</u> HSBC Bank USA PO Box 37278 Baltimore, MD 21297		Credit Card 1997-2003		\$2131.00
<u>ACCOUNT NO.</u> Next Card PO Box 922968 Norcross, GA 30010		Credit Card 1997-2003		\$1877.00
<u>ACCOUNT NO.</u> MBNA PO Box 15102 Wilmington, DE 19886		Credit Card 1997-2003		\$1926.00
<u>ACCOUNT NO.</u> Discover Card PO Box 6014 Dover, DE 19903-6014		Credit Card 1997-2003	\$6227.00 \$1973.00	
<u>ACCOUNT NO.</u> Home Depot Credit Services Processing Center Des Moines, IA 50364		Store Credit		\$2128.00
<u>ACCOUNT NO.</u> Fleet PO Box 15480 Wilmington, DE 19850	J	Credit Card 1997-2003		\$6558.00
<u>ACCOUNT NO.</u> Q Card PO Box 17602 Baltimore, MD 21297		Credit Card 1997-2003		\$940.00
<u>ACCOUNT NO.</u>				
<u>ACCOUNT NO.</u>				
<u>ACCOUNT NO.</u>				

Sheet no. 1 of 1 pages of Schedule of Creditors Holding Nonpriority Claims  
\$44751.00

Total -&gt;

Name of Debtor Fraterrigo, G. Diane Debtor(s).

Case No. \_\_\_\_\_ (If known)

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests.

State nature of debtor's interest in contract, i.e. Purchaser, Agent, etc. State whether debtor is the lessor or lessee of a lease.

Provide the names and complete mailing addresses of all other parties to each lease or contract described.

Note: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

☒ Check this line if debtor has no executory contracts or unexpired leases.

---

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE  
OF OTHER PARTIES TO LEASE OR CONTRACT

---

DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF  
DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR  
NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT  
NUMBER OF ANY GOVERNMENT CONTRACT

---

SCHEDULE H - CODEBTORS

Provide the information required concerning any person or entity, other than a spouse in a joint case, that is also liable on a debts listed by debtor in the schedule of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the non-debtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

\_\_\_\_\_ Check this line if debtor has no co-debtors.

NAME AND ADDRESS OF CODEBTOR	:	NAME AND ADDRESS OF CREDITOR
------------------------------	---	------------------------------

Debtor's estranged husband is a possible co-debtor on account owed to Fleet Bank. See Sch. F.

Name of Debtor Fraterrigo, G. Diane Debtor(s).

Case No. \_\_\_\_\_ (If known)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE		
	NAMES	AGE	RELATIONSHIP
Separated	D., daughter, age 16. J., son, age 13.		

EMPLOYMENT:	DEBTOR	SPOUSE
Occupation	Bus Driver	N/A
Name of Employer	Laidlaw Transit	N/A
Address of Employer	49 Anderson St., Cheektowaga	N/A

	DEBTOR	SPOUSE
Income: (Estimate of average monthly income)		
Current monthly gross wages, salary, and commissions (pro rata if not paid monthly.)	\$1,075.00	\$0.00
Estimated monthly overtime	\$0.00	\$0.00
<b>SUBTOTAL</b>	<b>\$1,075.00</b>	<b>\$0.00</b>
<b>LESS PAYROLL DEDUCTIONS</b>		
a. Payroll taxes and social security	\$107.00	\$0.00
b. Insurance	\$0.00	\$0.00
c. Union Dues	\$0.00	\$0.00
d. Other (Specify _____)	\$0.00	\$0.00
<b>SUBTOTAL OF PAYROLL DEDUCTIONS</b>	<b>\$129.00</b>	<b>\$0.00</b>
<b>TOTAL NET MONTHLY TAKE HOME PAY</b>	<b>\$946.00</b>	<b>\$0.00</b>
Regular income from operation of business or profession or farm (attach detailed statement)	\$0.00	\$0.00
Income from real property	\$0.00	\$0.00
Interest and dividends	\$0.00	\$0.00
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$0.00	\$0.00
Social security or other government assistance (Specify _____)	\$0.00	\$0.00
Pension or retirement income	\$0.00	\$0.00
Other monthly income (Specify _____)	\$0.00	\$0.00
	\$0.00	\$0.00
<b>TOTAL MONTHLY INCOME</b>	<b>\$946.00</b>	<b>\$0.00</b>
<b>TOTAL COMBINED MONTHLY INCOME</b>	<b>\$946.00 (Report also on Summary of Schedules)</b>	

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document.

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTORS

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

\_\_\_\_\_ Check this line if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

Rent or home mortgage payment (Include lot rented for mobile home) . . . . .	\$416.00
Are real estate taxes included? Yes _____ No _____	\$98.00
Is property insurance included? Yes _____ No _____	\$34.00
Utilities Electric and heating fuel . . . . .	\$230.00
Water and sewer . . . . .	\$0.00
Telephone . . . . .	\$40.00
Other <u>Cable</u> . . . . .	\$45.00
Home maintenance (Repairs and upkeep) . . . . .	\$10.00
Food . . . . .	\$200.00
Clothing . . . . .	\$20.00
Laundry and dry cleaning . . . . .	\$0.00
Medical and dental expenses . . . . .	\$0.00
Transportation (not including car payments) . . . . .	\$50.00
Recreation, clubs and entertainment, newspapers, magazines, etc. . . . .	\$0.00
Charitable contributions . . . . .	\$0.00
Insurance (not deducted from wages or included in home mortgage payments)	
Homeowner's or renter's . . . . .	\$0.00
Life . . . . .	\$0.00
Health . . . . .	\$0.00
Auto . . . . .	\$70.00
Other _____ . . . . .	\$0.00
Personal Care . . . . .	\$0.00
Taxes (not deducted from wages or included in home mortgage payments)	
Specify _____ . . . . .	\$0.00
Installment payments	
(In Chapter 12 and 13 cases, do not list payments to be included in the plan)	
Auto . . . . .	\$0.00
Other _____ . . . . .	\$0.00
Other _____ . . . . .	\$0.00
Children's Activities . . . . .	\$0.00
Alimony, maintenance, and support paid to others . . . . .	\$0.00
Daycare . . . . .	\$0.00
Regular expenses from operation of business, profession, or farm . . . . .	\$0.00
(Attach detailed statement)	
Other <u>User Fee</u> . . . . .	\$18.00
<b>TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules) . . . . .</b>	<b>\$1,236.00</b>

**(FOR CHAPTER 12 DEBTORS ONLY)**

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

- |   |          |
|---|----------|
| A. Total projected income                       | \$ _____ |
| B. Total projected monthly expenses             | \$ _____ |
| C. Excess income (A minus B)                    | \$ _____ |
| D. Total amount to be paid into plan each _____ | \$ _____ |
- (Interval)

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

Name of Debtor Fraterrigo, G. Diane Debtor(s). Case No. \_\_\_\_\_ (If known)

GENERAL INSTRUCTION: The first page of the debtor's schedules and the first page of any amendments thereto must contain a caption as in Form 16B. Subsequent pages should be identified with the debtor's name and case number. If the schedules are filed with the petition, the case number should be left blank.

Schedules D, E, and F have been designed for the listing of each claim only once. Even when a claim is secured only in part or entitled to priority only in part, it still should be listed only once. A claim which is secured in whole or in part should be listed on Schedule D only, and a claim which is entitled to priority in whole or in part should be listed on Schedule E only. Do not list the same claim twice. If a creditor has more than one claim, such as claims arising from separate transactions, each claim should be scheduled separately. Review the specific instructions for each schedule before completing the schedule.

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the areas provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A--Real Property	Yes	1	\$35,000.00	////////	////
B--Personal Property	Yes	1	\$3,600.00	////////	////
C--Property Claimed as Exempt	Yes	1	////////	////////	////
D--Creditors Holding Secured Claims	Yes	1	////////	\$34,735.00	////
E--Creditors Holding Unsecured Priority Claims	Yes	1	////////	\$0.00	////
F--Creditors Holding Unsecured Nonpriority Claims	Yes	1	////////	\$34,735.00	////
G--Executory Contracts and Unexpired Leases	Yes	1	////////	////////	////
H--Codebtors	Yes	1	////////	////////	////
I--Current Income of Individual Debtor(s)	Yes	1	////////	////////	\$946.00
J--Current Expenditures of Individual Debtor(s)	Yes	1	////////	////////	\$1,236.00
Total number of sheets in ALL Schedules ->		10	////////	////////	////
			////////	////////	////
		Total Assets ->	\$38,600.00	////////	////
				////////	////
		Total Liabilities ->		\$69,470.00	

Name of Debtor \_\_\_\_\_ Debtor(s). Case No. \_\_\_\_\_ (If known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 11 pages, and that they are true and correct to the best of my knowledge, information, and belief. (Total shown on Summary page: 11)

Date 1/26/05

Signature X Elaine Fraterny  
Debtor

Date \_\_\_\_\_

Signature \_\_\_\_\_  
(Joint Debtor, if any)  
[If joint case, both spouses must sign]

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the \_\_\_\_\_ [the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership] of the \_\_\_\_\_ [corporation or partnership] named as debtor in this case, declare under penalty of perjury that I have read the following summary and schedules, consisting of \_\_\_\_\_ sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date \_\_\_\_\_

Signature \_\_\_\_\_

\_\_\_\_\_  
[Print or type name and title of individual signing on behalf of debtor]

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 USC SS 152 and 3571.

UNITED STATES BANKRUPTCY COURT .  
WESTERN DISTRICT OF NEW YORK

Name of Debtor \_\_\_\_\_ Debtor(s). Case No. \_\_\_\_\_ (If known)

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I, the debtor, have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. My intention with respect to the property of the estate which secures those consumer debts is as follows:

a. Property to Be Surrendered.

	Description of property	Creditors name	H, W, or J
1.	<u>N/A</u>	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

b. Property to Be Retained. [Check applicable statement of debtor's intention concerning reaffirmation, redemption, or lien avoidance.]

	Description of Property	Creditor's name	Debt will be reaffirmed pursuant to § 524(c)	Property is claimed as exempt and will be redeemed pursuant to § 722	Lien will be avoided pursuant to § 522(f) and property will be claimed as exempt
1.	<u>98-100 B. d Ave. Bflo</u>	<u>BENEFICIAL</u>	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____

3. I understand that § 521(2)(B) of the Bankruptcy Code requires that I perform the above stated intention within 45 days of the filing of this statement with the court, or within such additional time as the court, for cause, within such 45-day period fixes.

Date: 1-26-05

X [Signature]  
Signature of Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Joint Debtor, if, applicable

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

Name of Debtor Fraterrigo, G. Diane Debtor(s). Case No. \_\_\_\_\_ (If known)

STATEMENT  
(Pursuant to Rule 2016(b))

The undersigned, pursuant to Bankruptcy Rule 2016(b) states that:

- (1) The undersigned attorney is the attorney for the debtor(s) in this case.
- (2) The compensation paid or agreed to be paid by the debtor(s) to the undersigned is:

(a) for legal services rendered or to be rendered in contemplation of and in connection with this case	\$641.00
(b) prior to filing this statement, debtor(s) has/have paid	\$641.00
(c) the unpaid balance due and payable is	\$0.00
- (3) \$209.00 of the filing fee in this case has been paid.
- (4) The services rendered or to be rendered include the following:
  - (a) analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
  - (b) preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
  - (c) representation of the debtor(s) at the meeting of creditors.
  - (d) the above fee does not include representation of the client in adversary proceedings, and other contested bankruptcy matters.
- (5) The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and  
N/A
- (6) The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and
- (7) The undersigned has received no transfer, assignment or pledge of property, except for the following for the value stated:  
  
None.
- (8) The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm any compensation paid or to be paid except as follows:  
  
None.

Dated: 1/26/05

Respectfully submitted, Brendan C. Hand Attorney for Petitioner

Attorney's name and address: Brendan C. Hand, Esq., 424 Main Street, Suite 1816, Buffalo, New York 14202.

Citibank  
Box 6500  
Sioux Fall, SD 57117

Direct Merchants Bank  
Keirland 1 Suite 300  
16430 N. Scottsdale Rd  
Scottsdale, AZ 85254

HSBC Bank USA  
PO Box 37278  
Baltimore, MD 21297

Next Card  
PO Box 922968  
Norcross, GA 30010

MBNA  
PO Box 15102  
Wilmington, DE 19886

Discover Card  
PO Box 6014  
Dover, DE 19903-6014

Home Depot Credit Services  
Processing Center  
Des Moines, IA 50364

Fleet  
PO Box 15480  
Wilmington, DE 19850

Q Card  
PO Box 17602  
Baltimore, MD 21297

Beneficial  
2850 Niagara Falls Blvd  
Amherst, NY 14228

City of Buffalo  
Tax Department  
121 City Hall  
Buffalo, New York 14202

Erie County Tax Department  
95 Franklin Street  
Buffalo, New York 14202

Buffalo Street Sanitation Department  
218 City Hall  
Buffalo, NY 14202